

IN RE: RM-8626

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April 14, 1995

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FCC MAIL ROOM

ATTN: Secretary  
Federal Communications Commission  
Washington, DC 20554

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Dear Sir or Madam:

This letter is in response to a petition filed with the Federal Communications Commission by Mr. Frederick O. Maia, W5YI, challenging the validity of FCC Rule Part 97.111(b)(5) and 97.111(b)(6). Specifically, the permission for stations in the Amateur Radio Service to make one-way transmissions to facilitate the learning, or improvement of proficiency in, the International Morse Code; and to disseminate bulletins of interest to the Amateur Radio community.

Mr. Maia has said that Morse Code practice is now available on computer software, and that information bulletins about Amateur Radio are available on various computer online services. Also, Maia has stated that the abovementioned rules that permit certain one-way transmissions in the Amateur bands are "a very permissive category and [permit] just about anything to be transmitted that is even remotely associated with the Amateur Service." Maia also directs this concern to those one-way transmissions made below 30 Megahertz.

While there is some validity to Maia's claims, it is the express opinion of this Amateur Radio licensee that the cessation of one-way Morse Code practice transmissions and information bulletins below 30 MHz., would be extremely detrimental to the American Amateur Radio service, and a great loss to Amateur Radio services worldwide.

The immediate effect of such an action would be to halt the operation of the American Radio Relay League's Hiram P. Maxim Memorial Station, WIAW. Throughout the decades-old history of the League, this station has proven time and again to be useful in providing on-air Morse Code practice and bulletins pertaining to the Amateur Service. And, in these capacities, this station has been the on-air ambassador of good will from the American Amateur Radio community, to the rest of the world.

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Certainly more than one Amateur Radio operator owes a debt of gratitude to WIAW, for providing on-air Morse Code practice under real, apt-to-change band conditions; something that is not possible in the more "sterile" setting of a computer-generated Code practice session. Also, bulletins sent by WIAW provide Amateurs and casual listeners with items important to the Amateur Radio Service. In copying WIAW's transmissions, new Amateurs get a "feel" for how to operate their equipment, to maximize reception of signals that change from minute-to-minute under fickle band conditions.

And, let it be said that not everyone who is in the process of studying the Morse Code for his/her Amateur Radio license, or is in possession of such license, owns or has access to a computer system. This would include those who cannot afford such a system, and of course those who are handicapped in some manner.

So, it is the express opinion of this Amateur Radio licensee that to allow Frederick Maia's wishes to become rule/law would set a very dangerous precedent in the regulation of the American Amateur Radio service, and a very bad example for other Amateur Radio services worldwide. Although station WIAW is cited as an example in this letter, it is by no means the only station offering Morse-practice and bulletin services.

As an Amateur Radio licensee, operator, and a United States taxpayer, I most strongly urge the Federal Communications Commission to deny Maia's request for rulemaking, in that it is "bad law," and very well "flies in the face of tradition," something that Amateur Radio operators the world over hold dear. Help us keep Amateur Radio, "OF the people, BY the people, and FOR the people."

Sincerely yours/73,



Michael D. Bolton, N5RLR

MDB: mdb

Enclosures: 10